

REMARKS

Favorable reconsideration of this application as presently amended is requested in light of the following discussion.

Claims 30-32, 34-40, 42-48 and 50-67 are pending in the present application. Claims 30, 38, 46-54 and 61 have been amended by the present Amendment.

In the outstanding Office Action, claims 30-32, 34-40, 42-48 and 50-67 were rejected under 35 U.S.C. § 102(e) as anticipated by Saeki et al.; claims 46-48 and 50-53 were rejected under 35 U.S.C. § 101.

Claims 30-32, 34-40, 42-48 and 50-67 were rejected under 35 U.S.C. § 102(e) as anticipated by Saeki et al. This rejection is respectfully traversed.

This application is related to Application No. 09/924,979. In the related Application No. 09/924,979, independent claims 25 and 31 were allowed with the feature that the common information and stream information are managed as separate features. Accordingly, independent claims 30, 38, 46, 54 and 61 of the present application have been amended to include similar subject matter to that as in the allowed co-pending application. Accordingly, it is respectfully submitted independent claims 30, 38, 46, 54 and 61 and each of the claims depending therefrom are allowable.

Further, regarding the rejection of claims 46-48 and 50-53 under 35 U.S.C. § 101, the preamble of these claims have been amended to be directed to a computer-readable medium. It is respectfully noted the information recorded on the computer-readable medium affects the

operation of the digital data recorder. Thus, it is respectfully submitted the claims are statutory. Accordingly, it is respectfully requested this rejection be withdrawn.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 7, 2008

David A. Blodeau
Registration No. 43.325

Respectfully submitted,

By 

Esther H. Chong
Registration No.: 40,953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant